

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JERMAINE McGINNIS,

Plaintiff,

-against-

ORANGE COUNTY JAIL; THE TOWN OF  
WALKHILL POLICE DEPARTMENT,

Defendants.

22-CV-3335 (LTS)

ORDER DIRECTING PAYMENT OF FEE  
OR IFP APPLICATION

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff, who appears to be a patient at the Rockland Psychiatric Center,<sup>1</sup> brings this action *pro se*. To proceed with a civil action in this Court, a plaintiff must either pay \$402.00 in fees – a \$350.00 filing fee plus a \$52.00 administrative fee – or, to request authorization to proceed *in forma pauperis* (IFP), that is, without prepayment of fees, submit a signed IFP application. *See* 28 U.S.C. §§ 1914, 1915.

Plaintiff submitted the complaint without the filing fees or an IFP application. Within thirty days of the date of this order, Plaintiff must either pay the \$402.00 in fees or submit the attached IFP application.<sup>2</sup> If Plaintiff submits the IFP application, it should be labeled with

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<sup>1</sup> Plaintiff does not state that he is a patient at Rockland Psychiatric Center, but the mailing address he provides for himself is the same as the address for Rockland Psychiatric Center.

<sup>2</sup> It is unclear from the complaint whether Plaintiff is a prisoner for purposes of the Prison Litigation Reform Act. *See* 28 U.S.C. § 1915(h) (defining a “prisoner” as “any person incarcerated or detained in any facility who is accused of, convicted of, sentenced for, or adjudicated delinquent for, violations of criminal law or the terms and conditions of parole, probation, pretrial release, or diversionary program”). If Plaintiff was a prisoner at the time he filed the complaint, he must also complete and submit the attached prisoner authorization. *See* 28 U.S.C. § 1915(a)(2), (b).

docket number 22-CV-3335 (LTS). If the Court grants the IFP application, Plaintiff will be permitted to proceed without prepayment of fees. *See* 28 U.S.C. § 1915(a)(1).

No summons shall issue at this time. If Plaintiff complies with this order, the case shall be processed in accordance with the procedures of the Clerk's Office. If Plaintiff fails to comply with this order within the time allowed, the action will be dismissed.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

SO ORDERED.

Dated: April 27, 2022  
New York, New York

/s/ Laura Taylor Swain  
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LAURA TAYLOR SWAIN  
Chief United States District Judge